

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Civil Action No. 04-10373-REK

EARTHSOURCE, INC.,

Plaintiff

v.

THE TOWN OF RAYNHAM,  
GORDON D. LUCIANO,  
DONALD L. MCKINNON,  
RAYMOND W. PLATT,  
individually & as members of  
the Raynham Board of Health

Defendants

PLAINTIFF'S L.R. 16.1(D)  
CERTIFICATION

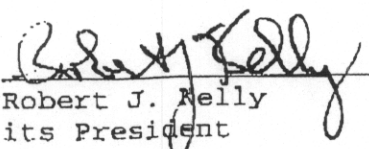
The undersigned officer of Plaintiff and its counsel do each hereby affirm that they have conferred:

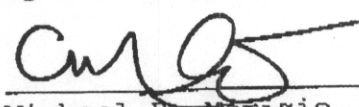
(a) with a view to establishing a budget for the costs of conducting the full course, and various alternative courses, of litigation; and

(b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

EARTHSOURCE, INC.

EARTHSOURCE, INC.  
By its attorney,

  
Robert J. Kelly  
its President

  
Michael P. Morizio, BBO #549593  
Friedman & Atherton LLP  
53 State Street  
Boston, MA 02109  
617-227-5540

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CERTIFICATE OF SERVICE

I hereby certify that on this day a true copy of the above document was served upon the attorney of record for each party by mail by hand.

Dated: 4/29/04



TELEPHONE  
617-227-5540

**FRIEDMAN & ATHERTON LLP**

**COUNSELLORS AT LAW**

**EXCHANGE PLACE**

**53 STATE STREET**

**BOSTON, MA**

**02109**

**TELECOPIER**  
617-523-1559

April 29, 2004

BY HAND

Clerk  
U.S. District Court  
U.S. Courthouse  
1 Courthouse Way, Suite 2300  
Boston, MA 02210

Re: Earthsource, Inc. v. Town of Rayhnam, et al.  
United States District Court, C.A. No. 04-10373REK

Dear Sir/Madam:

Enclosed for filing in the above-referenced case, please find Plaintiff's L.R. 16.1(D) Certification.

Thank you for your attention to this matter.

Very truly yours,

*Michael P. Morizio*  
Michael P. Morizio

MPM/jlw  
Enclosure  
cc: Mark R. Reich, Esquire